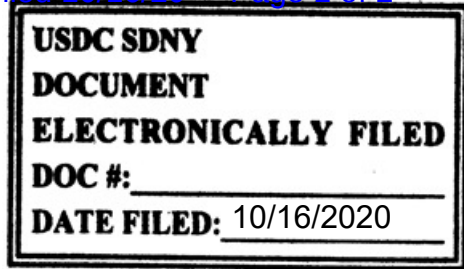


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



DIANA MARTINEZ,

Plaintiff,

-against-

UNITED STATES OF AMERICA,

Defendant.

19 CV 5582 (RWL)

**COORDINATION AND PRETRIAL
DISCOVERY ORDER**

WHEREAS, the above captioned action is currently pending before this Court for all purposes (the "Federal Action");

WHEREAS, an action entitled *Diana Martinez v. Bronx-Lebanon Hospital Center, et al.*, is currently pending before Justice Joseph E. Capella in the Supreme Court of the State of New York, County of Bronx, Index No. 33531/2018E (the "State Action");

WHEREAS, in the interests of justice and judicial economy, the Federal Action and the State Action should be informally coordinated for pretrial discovery purposes;

IT IS HEREBY ORDERED:

1. The parties in the State and Federal Cases have exchanged document requests and interrogatories, and agree to serve non-duplicative supplemental document requests and interrogatories seeking specific categories of documents not found in the disclosures already made. Contention interrogatories served in the Federal Case will be subject to Local Rule of Civil Procedure 33.3.

2. Defendants in the State Case agree to the entry by the Federal Court of a Privacy Act Order and Confidentiality Order as a condition to receiving documents produced by the Federal Defendant.

3. The Parties will identify a pool of witnesses common to both cases and for such witnesses agree to the following:

a. to confer on scheduling;

- b. to conduct the deposition of Deemed Federal Employees¹ pursuant to the Federal Rules of Civil Procedure (the “Federal Rules”);
- c. to conduct depositions solely in the State Action pursuant to the rules of the State Court;
- d. that portions of any deposition conducted by counsel for defendant United States shall be pursuant to the Federal Rules;
- e. to confer concerning a method of taking depositions including issues concerning the allocation of time for questioning among counsel; and,
- f. to provide all parties with a copy of the transcript of any deposition taken in the Federal Action or the State Action.

4. The fact discovery deadline is January 15, 2021; and expert discovery deadline is March 16, 2021.

5. Counsel will work together and with Judge Lehrburger and Justice Capella as necessary to address any issues not specifically addressed in this Order.

6. Counsel shall submit an identical Order to Justice Capella for entry in the State Action upon approval of Justice Capella.

Date: October 16, 2020



ROBERT W. LEHRBURGER
U.S.M.J.

¹ The “Deemed Federal Employees” are La Casa de Salud, Inc., Allareddy Vasanth Kumar Reddy, Rajesh Maharbhai Patel, Arcangelo Aldo Lubrano, Flora Adelaide Antwi, Edith Lynn Williams, Carline Lamour-Ocean, Lucy Palomino, and Elizabeth Elaine Holt.